



**Hundredth Legislature - First Session - 2007
Committee Statement
LB 463**

Hearing Date: January 31, 2007
Committee On: Health and Human Services

Introducer(s): (Johnson)
Title: Adopt the Uniform Credentialing Act

Roll Call Vote – Final Committee Action:

- Advanced to General File
 - X Advanced to General File with Amendments
 - Indefinitely Postponed
-

Vote Results:

7	Yes	Senator(s): Johnson, Gay, Erdman, Hansen, Howard, Pankonin, Stuthman
	No	
	Present, not voting	
	Absent	

Proponents:

Senator Johnson
Annette Harmon
Charles Pallesen
Terry J. Nutzman
Lee Orton

Teresa Hawk
Marcy Wyrens
Janet Coleman
Linda L. Lazure
Dr. Joann Schaefer

Representing:

Introducer
Nebraska Nurses Association
Nebraska Medical Association
Attorney General
Water Well Standards and Contractors Licensing
Board and Nebraska Well Drillers Association
Nebraska Credentialing Review Committee
Nebraska Credentialing Review Committee
Nebraska Credentialing Review Committee
Nebraska Board of Health
Health and Human Services System

Opponents:

Dr. Phil Samuels
Patricia Samuels
Bruce Beins

Connie Wagner
Brendon Polt
Dr. Timothy Adams

Representing:

Self
Self
Nebraska EMS Association and Nebraska State
Board of EMS
Licensed Practical Nurse Association of Nebraska
Nebraska Health Care Association
Nebraska Dentists for More Ethical and
Responsible Leadership

Neutral:

Representing:

Summary of purpose and/or changes:

LB 463 is a recodification of the Uniform Licensing Law (ULL). The bill adopts the Uniform Credentialing Act (UCA). The bill includes all health care professions and occupations credentialed by the Nebraska Health and Human Services System (HHSS) within the preview of the new act. The bill reorganizes and recodifies all provisions pertaining uniformly to all regulated professions and occupations, and separately recodifies provisions relating to the practice of a particular profession or occupation. The bill deletes obsolete provisions and outright repeals sections.

The bill seeks to clarify provisions relating to (1) requirements necessary to initially obtain, renew, or reinstate a credential or to voluntarily surrender a credential; (2) acts and behaviors which constitute grounds for discipline against a credential; (3) processes for filing a complaint for alleged violation of the act and activities subsequent to such filing, including investigations, confidentiality, and the process for imposing disciplinary action; and (4) the types of disciplinary action that can be imposed.

The bill eliminates the requirement that the department issue multiple notices to persons who fail to renew their credential, eliminates the requirement the department issue revocations for failure to renew credentials, and standardizes the circumstances for which continuing competency requirements may be waived.

LB 463 expands the definition of unprofessional conduct to include disclosing confidential information, failure to comply with a federal, state, or municipal law pertaining to the applicable profession, and disruptive behavior. The bill eliminates “letters of concern,” makes revocation of a credential permanent, with no opportunity for reinstatement, and clarifies provisions relating to voluntary surrender of a credential.

The bill does not change existing requirements for obtaining a credential; nor does it change the scope of practice for any regulated profession, occupation, or entity. The bill becomes operative on December 1, 2008.

Explanation of amendments, if any:

The committee amendment (AM 302) makes technical changes to the bill and reinstates the existing opportunity for persons to apply two years after the date of revocation for reinstatement of a revoked credential.

Senator Joel Johnson, Chairperson